

Minutes of the Brooklyn Planning Commission Meeting of April 7, 2005

4:30 pm

MEMBERS PRESENT: Mayor Kenneth E. Patton, Chairman
John Frey, Council Representative
Ray Porterfield
Nancy Titlow
Dan Enovitch

ALSO PRESENT: Tom Ockington, Building Commissioner
Diane Schiavone, Acting Secretary

Chairman – I would like to call the Planning Commission Meeting to order. Roll call was taken and all members were present. **A motion to accept the Minutes from the January 6, 2005 meeting was made by Mayor Patton. Second – John Frey. Vote Resulted – Yeas – Mayor Patton, John Frey, Ray Porterfield and Dan Enovitch.** Ray Porterfield and Nancy Titlow abstained as they were not present at the meeting. **A motion to approve the Minutes from the March 3, 2005 meeting was made by Mayor Patton. Second – John Frey. Vote Resulted – Yeas – Mayor Patton, John Frey, Ray Porterfield, Nancy Titlow.** Dan Enovitch abstained as he was not present at the meeting. **A motion to approve the Minutes from the Special meeting of March 23, 2005 was made by Mayor Patton. Second – Ray Porterfield. Vote Resulted – Yeas – Mayor Patton, John Frey, Ray Porterfield, Nancy Titlow.** Dan Enovitch abstained as he was not present at the meeting.

Item #1 – West Park Assembly of God, Lot Split/Consolidation, Site Plan Approval

Building Commissioner, Tom Ockington began the discussion by stating West Park Assembly of God proposed creating land-locked parcels to be sold to the owners of the parcels their property on Outlook Drive, and the Zoning Code prohibits creating land - locked parcels. The City Engineer has notified the site design engineer on the required corrections for the lot split plans, and Tom Ockington continued further to say the City Engineer was not supplied with the site plans for review prior to this meeting. As the Zoning Code requires that the City Engineers site plan review should be complete prior to final site plan review by the Planning Commission, Tom advised this matter be postponed until next month's meeting and review of the plans. Dan Enovitch suggested that the City request a review by the Army Corps of Engineers regarding the creek bed on this property which was altered in the past, and is now causing erosion which will undermine Outlook drive at Williamston Avenue if not corrected. **A motion to postpone this matter was made by Mayor Patton. Second – John Frey. Vote Resulted – Yeas – Mayor Patton, John Frey, Ray Porterfield and Nancy Titlow.** Dan Enovitch abstained as his property abuts the request.

Item #2 – Giant Eagle, Site Plan Approval

Pat Avolio, Director of Development for Giant Eagle was present to request Site Plan Approval to construct a drive-thru pharmacy on the south side of the existing Giant Eagle building. The pharmacy drive-thru is currently located on the north side of the building. The relocation of the pharmacy to the south side of the building will enable customers to interact directly with a person; replacing the pneumatic tube that is currently being used. The space for the proposed pharmacy is currently being occupied by Iggle Video and the beer cooler. Canopy lighting and safety issues were briefly discussed and Board Member, Dan Enovitch suggested additional landscaping between the Giant Eagle store and Brooklyn Acres. Pat Avolio stated the pharmacy closed about 9 P.M. and the canopy lighting could be turned off at that time if necessary. An additional stop sign was also suggested for safety reasons where pharmacy traffic merges by the northwest corner of the building. **A motion was made to approve the request by Ray Porterfield. Second – Mayor Patton. Vote Resulted – Yeas – Mayor Patton, John Frey, Ray Porterfield, Nancy Titlow and Dan Enovitch.**

Item #3 – Benderson Development Co./Staples, Sign Approval

Benjamin Ockner of Berns, Ockner & Greenberger LLC was present along with Fred Strano of Benderson Development to request Sign Approval to replace existing signs and additional sign cabinets for Staples to be located at 7420 Brookpark Road and future tenants at 7430 Brookpark Road. A brief discussion regarding the current sign ordinances in effect, required variances for additional signs and it was suggested by Mayor Patton that these issues be reviewed in the near future. Benderson Development is requesting an additional cabinet to reflect the Staples icon on the current pole sign located on Brookpark Road. A second pylon sign was requested also to be located on Brookpark Road reflecting Staples and a future tenant. Board Member Dan Enovitch suggested consolidating the pylon signs and a brief discussion was held regarding the amount of signage along Brookpark Road.

The discussion then turned to the height of the proposed wall signage for Staples and the setback from the street. The proposed wall signage includes seven (7) foot tall letters; located in the front and rear of the building. Board Member, John Frey stated his opposition to the height of the letters citing another situation similar to Kronheim's Furniture. Questions were raised regarding the height of the letters in the Best Buy signage. A suggestion was made by Dan Enovitch to limit the height of the letters for the rear of the building to five (5) feet tall. Board Member, Nancy Titlow voiced approval for the seven (7) foot tall letters citing the large setback from Brookpark Road for visibility reasons. It was noted variances will be required from the Board of Zoning Appeals for the proposed signage. At this time Fred Strano of Benderson Development stated he would like to withdraw the pylon sign proposal B-1 in exchange for extra height on sign proposal B taking that sign height from three (3) feet to four (4) feet three (3) inches.

After a lengthy discussion regarding required variances, sign ordinance revisions visibility issues from Brookpark Road, motions to approve and/or deny the requests were made. **A motion to approve the wall signs, front and rear of the building, limiting the letters to five (5) feet tall, noting variances will be required by the Board of Zoning Appeals was made by Mayor Patton. Second -- Ray Porterfield. Vote Resulted – Yeas – Mayor Patton, John Frey, Ray Porterfield, Dan Enovitch. Vote Resulted – Nays – Nancy Titlow.**

A motion to approve pylon sign proposal "Sign A" including the additional tenant cabinet, at the rear of the building, was made by Mayor Patton. Second – Ray Porterfield. Vote Resulted – Yeas – Mayor Patton, John Frey, Ray Porterfield, Nancy Titlow and Dan Enovitch.

A motion to approve the pylon sign proposal "Sign B", front of the building on Brookpark Road, was made by Mayor Patton. Second – Nancy Titlow. Vote Resulted – Yeas – Mayor Patton, John Frey, Ray Porterfield, Nancy Titlow and Dan Enovitch.

A motion to table the pylon sign proposal "Sign B-1" until the next meeting, pending review by the Board of Zoning Appeals, was made by Mayor Patton. Second – Nancy Titlow. Vote Resulted – Yeas – Mayor Patton, John Frey, Ray Porterfield, Nancy Titlow and Dan Enovitch.

OLD BUSINESS –

Mayor Patton opened this discussion by addressing businesses within the City of Brooklyn with regards to Similar and/or Conditional Use Approvals; referring to the casket, monument and urn business that has recently occupied the space of 7405 Memphis Avenue. This location is a Retail-Business area and it was suggested the City declare action to be taken and rules and/or regulations be applied to comply with Similar and/or Conditional Uses. Board Member, Dan Enovitch supported this decision citing this is the first business that is visible when first entering our City from Memphis and Ridge Roads.

The discussion concluded with Mayor Patton stating he will bring this matter to the attention of our Law Director, Tom Shaper and report back to the Board with a status report.

At this time, a motion was made by Mayor Patton to have Building Commissioner, Tom Ockington contact the Army Corp. of Engineers regarding West Park Assembly of God; creek issues immediately. Second – John Frey. Vote Resulted – Yeas – Mayor Patton, John Frey, Ray Porterfield, Nancy Titlow. Dan Enovitch abstained as his property abuts the creek.

A motion to adjourn the meeting was made by Mayor Patton. Second – Ray Porterfield. Vote Resulted – Yeas – Mayor Patton, John Frey, Ray Porterfield, Nancy Titlow and Dan Enovitch. by Mayor Patton. Seconded – Nancy Titlow. Vote Resulted – Yeas – Mayor Patton, John Frey, Ray Porterfield and Nancy Titlow.